

Notice of Allowability

Application No.

09/936,160

Examiner

J. Derek Rutten

Applicant(s)

KABE, AKIYOSHI

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/27/06 filing.
2. ☒ The allowed claim(s) is/are 1, 2, 4-11, and 14-19 (renumbered 1-16).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/27/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413) 
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

TUANDAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This action is in response to Applicant's submission filed 12/27/2006, responding to the 10/04/2006 Office action which detailed the rejection of claims 1-11 and 14-17. Claims 18 and 19 have been added. Claims 1-11 and 14-19 remain pending in the application and have been fully considered by the examiner.

Response to Arguments

2. Applicant's arguments, see pages 11 and 12, filed 12/27/06, with respect to drawing and specification objections and the rejection of claim 4 under 35 U.S.C. 112 have been fully considered and are persuasive. These objections and rejections have been withdrawn.

3. Applicants' arguments on pages 17 and 19 filed 12/27/06, regarding the rejection of claims 3 and 16 in particular, are persuasive in view of the top of page 30 of the specification. The prior art of record, does not disclose or suggest data definition (i.e. claim 3) through the use of an object managing table (i.e. claim 16). In view of the following Examiner's Amendment, the rejection of the claims under 35 U.S.C. 103 has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Art Unit: 2192

The examiner contacted Applicants' representative regarding allowable subject matter and suggested incorporating the features of claims 3 and 16 in the spirit of the disclosure at the top of page 30, into each independent claim. Applicants' representative then faxed a copy of the discussed claim amendments to the examiner (see attached claims). The examiner agreed and has adopted the proposed claims.

Authorization for this examiner's amendment was provided via a voicemail message on 2/16/2007 and confirmed in a telephone interview on 2/20/2007, both with Natalya Dvorson, Reg. No. 56,616.

The application has been amended as follows:

Please amend claims 1, 5, 10 and 16, and cancel claim 3 in accordance with the attached listing of claims.

Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance:

As pointed out on pages 17 and 19 filed 12/27/06, the prior art of record, do not disclose or suggest data definition (i.e. claim 3) through the use of an object managing table (i.e. claim 16) in combination with the features of the independent claims. These limitations are further described at the top of page 30 of the specification and Figure 4 of the drawings. The examiner indicated that this application would be in condition for allowance if the independent claims 1, 5, and 10 are amended to include features of claims 3 and 16 to include an object data definition

Art Unit: 2192

unit that defines and modifies objects provided in an object managing table stored in a data sharing unit. The above features, taken in combination with all remaining features of the independent claim are not taught or suggested by the prior art of record. The applicant agreed to amend the independent claims 1, 5, and 10 as indicated by the examiner. The dependent claims carry the limitations of each independent claim. Thus, all claims 1, 2, 4-11, and 14-19 are allowed

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (571)272-3703. The examiner can normally be reached on M-F 7:00-3:30.

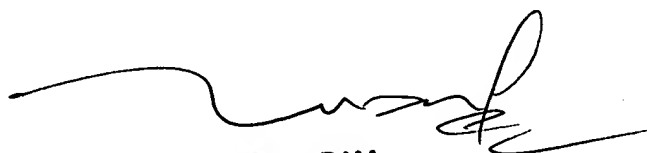
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2192

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jdr



TUAN DAM
SUPERVISORY PATENT EXAMINER